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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,691	02/27/2002	Peter W. Utecht	878	6392

7590 09/09/2003

Donald J. Ersler  
725 Garvens Avenue  
Brookfield, WI 53005

EXAMINER

HAUGLAND, SCOTT J

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/084,691

Applicant(s)

UTECHT ET AL.

Examiner

Scott Haugland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cochran et al in view of Egerstrom.

Cochran et al discloses a skid steer vehicle having a quick release mounting member 10 for detachably connecting a base frame (of 18) to the vehicle. The base frame is provided with top retention plates 20, lower slotted retention plates 24, and locking pins 38.

Cochran does not disclose providing a skid steer vehicle with a hose reel.

Egerstrom teaches providing a vehicle with a hydraulic reel comprising a base frame 18,20, a reel base 76 including upright members 84, a reel 28 holding a length of hose 44, and a hydraulic motor 62. The reel 28 is supported by a hollow axle 38 having a hose outlet (portion of hose 44

between axle 38 and jointing means 50). The reel has an opening 46 through which the hose passes for connection to the hose outlet. See Fig. 2. One end of the axle is sealed. A rotary union 60 attached to the other end. A pair of bearings (see claim 3 of Egerstrom) supports the axle on the reel base. The apparatus includes hose guide 120 one end of which extends from the reel base. A pulley 148 is mounted on the other end.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Cochran et al with a base frame mountable to the quick release mounting having a hose reel and hose guiding apparatus as taught by Egerstrom to permit the transport of a hose reel using the skid steer vehicle of Cochran et al in addition to the other handling devices which the vehicle of Cochran et al is capable of transporting, thus permitting the hose reel to be carried over terrain more suited to the use of a skid steer vehicle. It would have been further obvious to drive the hydraulic motor with hydraulic oil from the skid steer vehicle to eliminate the need for a duplicate pump.

With regard to claims 24, 31, and 37, it would have been obvious to provide a hydraulic valve for controlling flow of hydraulic oil to the hydraulic motor 62, such valves being well known in the art for controlling operation of motors.

With regard to claims 27 and 34, it would have been obvious to use roller bearings to support the reel since it is old and well known to use roller bearings to support rotary shafts with minimal friction and wear.

### ***Response to Arguments***

Applicants' arguments filed 6/30/03 have been fully considered but they are not persuasive.

Applicants argue that it would not have been obvious to substitute a skid steer for a truck, that the truck of Egerstrom is wider than a skid steer, the truck must be backed into an area, and the truck is not capable of traveling over extremely rough terrain, and that a truck is used for hauling items while a skid steer is use for digging. However, neither Cochran et al or Egerstrom place any particular limitations on the widths of the disclosed vehicles. Further, Cochran et al discloses that it is known to use a skid steer vehicle for various handling tasks (col. 1, lines 11-14). Both vehicles are used for hauling materials. The known superior maneuverability of the skid steer vehicle of Cochran et al would have been reason for an ordinary artisan to use it to transport materials and equipment such as a hose reel to hard to reach places.

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and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (703) 305-6498. The examiner can normally be reached on Monday - Thursday and every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

sjh  
9/5/03



KATHY MATECKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600